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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/527,734	03/17/2000	Walter A. Rinebold	991097	3093

7590

06/16/2004

PATZIK, FRANK & SAMOTNY LTD  
150 South Wacker Drive  
Suite 900  
chicago, IL 60606

EXAMINER

SAX, STEVEN PAUL

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 06/16/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/527,734

Applicant(s)

RINEBOLD ET

Examiner

Steven P Sax

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15, 46-49, 52-64 and 67-89 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-15 and 76-89 is/are allowed.
- 6) ☒ Claim(s) 1-8, 46-49, 52-64 and 67-75 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This application has been examined.
2. The amendment filed 5/19/03 has been entered.
3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-8 and 46-49, 52-64, 67-79 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosen et al (6118449) and Hanson et al (5974398) and Ross, Jr. et al (6629135).
5. Regarding claim 1, Rosen et al show the online interactive web site information system displaying advertisements, information, and business listings (Figure 8). Users may be referred to merchant websites of specific geographic areas or categories (see again Figure 8 and note how there are category selections, one of them being travel and regional). The web system allows users to advertise business listings and advertising (column 3 lines 18-23, column 4 lines 53-56). These in turn may be

selected by users through the browser (column 6 lines 25-40) which displays the advertising, information and business listings, based on a selection by the user of the location and category. The display is viewed by users (column 6 lines 10-21). The advertising, information, and business listings are linked using a hyperlinks to corresponding merchant or other websites (column 6 lines 50-60).

Rosen et al do not specifically go into the details of targeting geographic profiles of users, but do mention user selection of categories including regional as noted above. In addition, Rosen et al mention storing information pertaining to the selection of various information types (column 8 lines 5-33). Hanson et al teach a way to effectively store information pertaining to the selection of various information types in an interactive web site information system, namely by targeting profiles of users (Hanson column 4 lines 15-24). This includes geographic targeting (Hanson column 4 line 56), and builds databases from the information (Hanson column 4 lines 3-10 and 60-68). The profiling includes recording and previewing account review information (Hanson column 5 lines 5-22). Information may be added or deleted by the users (Hanson column 5 lines 50-55). Extended service in which usage statistics are recorded and activity is monitored is also employed (Hanson column 5 lines 15-35, 40-50). It would have been obvious to incorporate these targeting techniques into the interactive web site information system of Rosen et al, because it would allow effective storing of information pertaining to selection of information types. Neither Rosen et al nor Hanson go into the details of the substantially automated merchant selection of functions and categories, and how this generates the revenue, but note that Hanson et al do show generating revenue from

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usage and accounting means to keep track of revenues and commissions (column 5 lines 25-40). Furthermore, Ross, Jr. et al do show substantially automated merchant selection of functions and categories, and how this generates the revenue (column 6 lines 7-45, column 7 lines 30-40, column 8 lines 11-55). It would have been obvious to a person with ordinary skill in the art to have this in the system characterized by the combination of Rosen et al and Hanson, because it would allow effective storing of information pertaining to selection of information types, and a convenient way to track revenue and commission.

6. Regarding claim 2, as mentioned, Hanson shows accounting means for keeping track of the revenues generated by the system and any commissions owed to others (column 5 lines 25-40).

7. Regarding claims 3-4, Hanson et al show updating advertising, business, and information listings and related payments (column 5 lines 17-33, column 9 lines 1-15). It would have been obvious to a person with ordinary skill in the art incorporate this as a feature to target user purchases and selections in the interactive web site information system of Rosen et al, because it would allow effective storing of information pertaining to selection of information types.

8. Regarding claims 5-8, Rosen et al show the time duration 'coupons' and advertisements and subsequent removal (column 7 lines 10-20, column 13 lines 45-55)

9. Claims 46-49, 52-63 show the same features as 1-8 and are rejected for the same reasons. Claims 64, 67-75 show the same features as 1-8 and are rejected for the same reasons.

10. Claims 9-15 and 76-89 are allowable over the prior art of record. These claims bring out the coupon and banner ads and database building, which in the context of the claims then is utilized to link and categorize advertising, business, and information accordingly. The features combined are not set forth in the prior art of record.

11. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection. But note that the motivation for combining the Hanson reference is given above, and is valid. Also, the art is analogous and the customer profiling in Hanson, including geographic information, would provide an efficient way to store related information useful for online merchandising.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven P Sax whose telephone number is 703-305-9582. The examiner can normally be reached on M-F 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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STEVEN SAX  
PRIMARY EXAMINER